

EXHIBIT A

150 FERC ¶ 61,163
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Cheryl A. LaFleur, Chairman;
Philip D. Moeller, Tony Clark,
Norman C. Bay, and Colette D. Honorable.

Algonquin Gas Transmission, LLC

Docket No. CP14-96-000

ORDER ISSUING CERTIFICATE AND APPROVING ABANDONMENT

(Issued March 3, 2015)

1. On February 28, 2014, Algonquin Gas Transmission, LLC (Algonquin) filed an application in Docket No. CP14-96-000 pursuant to section 7(c) of the Natural Gas Act (NGA)¹ and Part 157 of the Commission's regulations² for authorization to construct and operate its Algonquin Incremental Market Project (AIM Project) in New York, Connecticut, Rhode Island, and Massachusetts. Algonquin also requests NGA section 7(b) authorization to abandon a meter and regulating station in New London County, Connecticut, which will be replaced as part of the project, as well as to remove and replace certain aboveground facilities. Algonquin states that the AIM Project will enable it to provide 342,000 dekatherms (Dth) per day of firm transportation service from its existing recipient points in Ramapo, New York, to various city gate delivery points in Connecticut, Rhode Island, and Massachusetts.

2. For the reasons stated below, we will grant the requested authorizations, subject to certain conditions.

I. Background and Proposals

3. Algonquin is a limited liability company organized and existing under Delaware law and an indirect, wholly-owned subsidiary of Spectra Energy Partners, LP. Algonquin is a natural gas company as defined in the NGA, engaged in the transportation of natural

¹ 15 U.S.C. § 717f(c) (2012).

² 18 C.F.R. Pt. 157 (2014).

gas in interstate commerce subject to the Commission's jurisdiction. Algonquin's natural gas pipeline system extends from points near Lambertville and Hanover, New Jersey, through the states of New Jersey, New York, Connecticut, Rhode Island, and Massachusetts, to points near the Boston area.

A. AIM Project Proposal

4. Algonquin proposes to construct, install, operate, and maintain approximately 37.4 miles of pipeline and related facilities in New York, Connecticut, and Massachusetts. Specifically, Algonquin proposes the following activities:

- replace approximately 20.1 miles, in three segments, of 26-inch-diameter pipeline with 42-inch-diameter pipeline in Putnam, Rockland, and Westchester Counties, New York, and Fairfield County, Connecticut;
- install approximately 2.0 miles of 36-inch-diameter pipeline looping in Middlesex and Hartford Counties, Connecticut (Line 36A Loop Extension);
- replace approximately 9.1 miles of 6-inch-diameter pipeline with 16-inch-diameter pipeline on the E-1 System Lateral in New London County, Connecticut (E-1 System Lateral Take-up and Relay);
- install approximately 1.3 miles of 12-inch-diameter pipeline looping in New London County, Connecticut (E-1 System Lateral Loop); and
- install approximately 4.1 miles of 16-inch-diameter pipeline and approximately 0.8 miles of 24-inch-diameter pipeline off its existing I-4 System Lateral in Norfolk and Suffolk Counties, Massachusetts (West Roxbury Lateral).

5. In addition, Algonquin proposes to add 81,620 horsepower (hp) of compression at six compressor stations in New York, Connecticut, and Rhode Island with the following modifications:

- install two new 15,900 hp natural gas-fired compressor units, restage one existing compressor unit, install gas cooling for the new compressor units, and modify station piping at the Stony Point Compressor Station in Rockland County, New York;
- install one new 10,320 hp natural gas-fired compressor unit, restage one existing compressor unit, replace the compressor body of one existing compressor unit, install gas cooling for the new compressor unit, and modify station piping at the Southeast Compressor Station in Putnam County, New York;

- restage one existing compressor unit at the Oxford Compressor Station in New Haven County, Connecticut;
 - install one new 15,900 hp natural gas-fired compressor unit, install gas cooling for the new compressor unit and two existing turbine-driven compressor units, and modify station piping at the Cromwell Compressor Station in Middlesex County, Connecticut;
 - install one new 7,700 hp natural gas-fired compressor unit, restage two existing compressor units, install gas cooling for the new compressor unit and two existing compressor units, and modify station piping at the Chaplin Compressor Station in Windham County, Connecticut; and
 - install one new 15,900 hp natural gas-fired compressor unit, restage one existing compressor unit, install gas cooling for the new compressor unit, and modify station piping at the Burrillville Compressor Station in Providence County, Rhode Island.³
6. Algonquin also proposes to abandon certain facilities, construct three new metering and regulating stations (meter stations), and modify 24 existing meter stations as follows:

- remove the Greenville Meter Station in New London County, Connecticut;
- construct a new meter station to replace the Greenville Meter Station and provide an interconnection with Norwich Public Utilities in New London County, Connecticut (Oakland Heights Meter Station);

³ Upon completion of the AIM Project, the Stony Point, Southeast, Cromwell, Chaplin, and Burrillville Compressor Stations will each have more than 15,000 horsepower. Algonquin states that it has considered installing and operating waste heat cogeneration facilities as discussed in the Interstate Natural Gas Association of America White Paper titled "*Waste Energy Recovery Opportunities for Interstate Natural Gas Pipelines*" (February 2008), but has determined that waste heat recovery currently is not viable for these compressor stations. We encourage Algonquin to monitor the Stony Point, Southeast, Cromwell, Chaplin, and Burrillville Compressor Stations, and provide information on its electronic bulletin board if it determines in the future that installing and operating waste heat recovery facilities would be technically feasible and commercially viable.

- construct a new meter station to provide an interconnection with NSTAR Gas Company in Bristol County, Massachusetts (Assonet Meter Station);
- construct a new meter station at milepost (MP) 4.2 of the proposed West Roxbury Lateral to deliver natural gas to Boston Gas Company in Suffolk County, Massachusetts (West Roxbury Meter Station);
- modify 24 existing meter stations in New York, Connecticut, and Massachusetts; and
- remove, replace, or install various pig launcher and receiver facilities, valves and related piping, and pressure regulating facilities in New York, Connecticut, and Massachusetts.

7. Algonquin held open seasons for the AIM Project from December 13, 2010, through February 11, 2011, and from September 20 through November 2, 2012. Algonquin held a supplemental open season and a reverse open season from June 11 through June 25, 2013, to solicit bids for additional service and for the release of existing firm transportation entitlements. As a result of the open seasons, Algonquin executed precedent agreements with eight local distribution companies and two municipal utilities (collectively, the Project Shippers)⁴ for 342,000 Dth per day of firm transportation service, or 100 percent of the firm transportation service to be made available by the project. Algonquin estimates the cost of the AIM Project will be \$971,551,683.⁵

8. Algonquin states that it will provide services to the Project Shippers at negotiated rates. However, Algonquin proposes incremental recourse rates for the AIM Project capacity on its mainline facilities and West Roxbury Lateral. Algonquin states that while it is not requesting that the Commission find in this proceeding that there should be a presumption of rolled-in rate treatment for the cost of the AIM Project in a future section 4 rate proceeding, Algonquin reserves the right to seek rolled-in rate treatment.

9. Algonquin also proposes to recover incremental fuel use and lost and unaccounted for fuel on the AIM Project mainline facilities through incremental fuel

⁴ The Project Shippers are Bay State Gas Company; Boston Gas Company; Colonial Gas Company; Connecticut Natural Gas Corporation; Middleborough Gas and Electric; The Narragansett Electric Company; Norwich Public Utilities; NSTAR Gas Company; The Southern Connecticut Gas Company; and Yankee Gas Services Company.

⁵ Algonquin estimates that the West Roxbury Lateral facilities will cost \$95,293,105 and the remaining AIM Project mainline facilities will cost \$876,258,578.

regulations. At that time, Algonquin may also propose a usage charge under Rate Schedule AFT-1 to recover any variable costs of providing service on the AIM Project pursuant to section 284.10(c)(2) of the Commission's regulations.

2. West Roxbury Lateral Rate

36. As described above, Algonquin's AIM Project includes a new West Roxbury Lateral in Norfolk and Suffolk Counties, Massachusetts, that will be approximately 5 miles long and capable of transporting 100,000 Dth per day on a firm basis. Algonquin proposes incremental firm and interruptible recourse rates under its existing Rate Schedules AFT-CL and AIT-2 for service utilizing West Roxbury Lateral expansion capacity. However, Algonquin and Boston Gas Company (Boston Gas), the Project Shipper which has subscribed all the capacity of the West Roxbury Lateral, have agreed to a negotiated rate for AIM Project expansion capacity on the lateral.

37. Algonquin's proposed incremental firm reservation charge for AIM Project expansion capacity on the West Roxbury Lateral is \$18.1976 per month per Dth. Algonquin's proposed interruptible charge for AIM Project expansion capacity on the West Roxbury Lateral is \$0.5983 per Dth, which is based on a 100 percent load factor of the proposed firm recourse reservation charge.²⁶ Algonquin calculated total projected incremental costs of service of \$22,337,066 for the West Roxbury expansion capacity. Of that amount, Algonquin allocated \$500,000 to interruptible services using the expansion capacity, thereby reducing the projected cost of service used to calculate the firm incremental recourse rate to \$21,837,066. Algonquin used billing determinants of 100,000 Dth per day to calculate the firm incremental recourse rate. While Algonquin used the same rate of return of 10.37 percent that underlies its current system rates and the proposed mainline firm incremental rate to calculate the West Roxbury Lateral incremental firm rate, as discussed above, Algonquin proposes a depreciation rate of 6.67 percent, derived from Boston Gas's 15-year contract term for service on the West Roxbury Lateral.

64 FERC ¶ 61,298, at n.5 (1993) ("The Commission has classified non-labor compression and processing O&M costs as variable for more than 40 years [citation omitted]."); *Alabama-Tennessee Natural Gas Co.*, 38 FERC ¶ 61,315, at 62,023 (1987) ("Account No. 858 costs should be classified on an as-billed basis.").

²⁶ See Exhibit P, Schedule 7 of Algonquin's application.

h. Traffic

92. Construction of the AIM Project will result in temporary to short-term increases in traffic levels due to the construction workforce commuting to the project area, as well as the movement of construction vehicles and delivery of equipment and materials to the construction work area. In-street construction will also occur along the West Roxbury Lateral. To address traffic impacts related to road crossings and in-street construction in densely populated areas, Algonquin prepared Traffic Management Plans for both the West Roxbury Lateral and for pipeline segments in New York. The plans include measures to address motor vehicles, including parking, and considerations for pedestrians, bicycles, and construction workers during construction. The final EIS identifies several road crossings in New York as needing additional site-specific details.⁶⁰ Therefore, Environmental Condition 25 of this order requires that, before construction in New York, Algonquin file a revised Traffic Management Plan for the New York pipeline segments.

93. In-street construction will affect traffic in the project area along the West Roxbury Lateral in Massachusetts, and may affect on-street parking and use of sidewalks adjacent to the affected roadways. As stated in the final EIS, Algonquin will consult with each municipality along the project corridor to address potential traffic-related impacts, and will obtain road crossing permits from the applicable federal, state, and local agencies, including the City of Boston and the Town of Dedham, before conducting in-street construction. Environmental Condition 26 of this order requires that, before construction of the West Roxbury Lateral, Algonquin develop and file a detailed construction schedule for each segment of the lateral that includes the proposed construction timeframes (i.e., month, week, and days), working hours, and any restricted work hours. The schedule will be shared with each affected municipality, and during construction of the West Roxbury Lateral the schedule will be updated and provided to the municipalities on a biweekly basis and included in Algonquin's construction status reports required by Environmental Condition 8.

94. The final EIS concludes that two specific intersections could experience significant adverse traffic impacts as a result of construction of the West Roxbury Lateral: (1) the intersection of High Street, East Street, and Harris Street in a residential area in the Town of Dedham; and (2) the intersection of Spring Street and Centre Street in a residential area in West Roxbury.

95. The intersection of High Street, East Street, and Harris Street currently operates acceptably under peak-hour conditions and during a typical weekday midday period. The

⁶⁰ See final EIS at 4-187.

required lane closures at this intersection, however, will result in adverse impacts on traffic operations during the course of construction, especially during the weekday midday period. To reduce impacts at this intersection, and at the request of the Town of Dedham, Algonquin will construct during nighttime hours (i.e., 7:00 p.m. to 5:00 a.m.). The final EIS concludes that this will not eliminate all traffic-related impacts at this intersection, but will reduce the impacts to less than significant levels.⁶¹

96. Similarly, the intersection of Spring Street and Centre Street generally operates acceptably throughout the day under existing conditions. During construction of the West Roxbury Lateral, however, the northbound Centre Street right-turn lane will be blocked off temporarily. This will be limited to only one phase of four traffic management phases planned for this location. Nonetheless, lengthy delays will occur on the northbound Centre Street approach to the intersection. Algonquin will have police details in place to monitor traffic conditions and make adjustments as required, will schedule work in the vicinity of this intersection before late afternoon commuter peak periods, and will consider performing the work during the nighttime hours if requested by the City of Boston. Although nighttime construction will minimize traffic impacts, it will increase noise-related impacts on residential properties located in close proximity to this intersection. The final EIS concludes that there will be temporary, but significant, unavoidable impacts at this intersection during construction.⁶²

i. Property Values and Homeowners' Insurance

97. Commenters expressed concerns about the project's potential impacts on property values. Their concerns included devaluation of property if encumbered by a pipeline easement, being the responsible party for property taxes within a pipeline easement, changes to mortgage rates based on proximity to a pipeline, and negative economic effects resulting from changes in land use. Although Algonquin will acquire new temporary (i.e., construction) and permanent easements for the project where applicable, the final EIS clarifies that most of the pipeline segments will be installed within Algonquin's existing right-of-way, with the exception of the West Roxbury Lateral. Further, the majority of the pipeline segments will replace existing pipeline in the same location, and will not require a new pipeline easement. While the West Roxbury Lateral will require new permanent pipeline easements, the majority of the new pipeline will be located within streets or public property, and therefore will not require new pipeline easement on individual private properties. Most of the aboveground facilities associated with the project will modify existing facilities on properties owned by Algonquin. Where

⁶¹ See final EIS at 4-190.

⁶² See final EIS at 4-190 to 4-191.

EXHIBIT B



Federal Energy Regulatory Commission
Office of Energy Projects
Washington, DC 20426

Algonquin Incremental Market Project

Final Environmental Impact Statement



Algonquin Gas Transmission, LLC
Docket No. CP14-96-000
FERC/EIS-0254F
Volume I

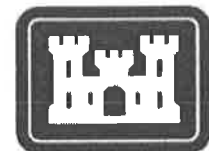
Cooperating Agencies:



**U.S. Environmental
Protection Agency**



**Pipeline and Hazardous
Materials Safety
Administration**



**U.S. Army Corps
of Engineers**

Algonquin's existing permanent easements give it the right to maintain the existing right-of-way as necessary for pipeline operation. Where the proposed pipeline construction activities occur within Algonquin's existing rights-of-way, it would not need to acquire new easements or property to operate the proposed facilities. However, Algonquin would need to acquire new easements or acquire the necessary land to construct and operate the new pipeline where any of the proposed activities deviate from the existing right-of-way. These new easements would convey both temporary (for construction) and permanent rights-of-way to Algonquin.

In addition to the right to use specific property for construction, operation, maintenance, pipeline repair and replacement, and related activities as referenced above, an easement agreement between a company and a landowner typically specifies compensation for losses resulting from construction. This includes losses of non-renewable and other resources, damages to property during construction, and restrictions on existing uses that would not be permitted on the permanent right-of-way after construction. Compensation would be based on a market study conducted by a licensed real estate appraiser.

If an easement cannot be negotiated with a landowner and the Project is approved by the Commission, Algonquin may use the right of eminent domain to acquire the property necessary to construct the Project. This right would extend to all Project-related workspace covered by the Commission's approval, including the temporary and permanent rights-of-way, aboveground facility sites, pipe and contractor ware yards, access roads, and ATWSs. Algonquin would still be required to compensate the landowner for the right-of-way and damages incurred during construction. However, the level of compensation would be determined by a court according to state or federal law.

Algonquin plans to retain its easement and maintain the rights-of-way following the installation of the pipeline facilities except as otherwise provided in the existing easements or modified as part of the negotiations with the landowner.

4.8.3 Existing Residences, Commercial and Industrial Facilities, and Planned Developments

4.8.3.1 Existing Residences and Commercial and Industrial Facilities

Table H-1 in appendix H lists residences and other structures located within 50 feet of the construction work areas associated with the AIM Project (i.e., construction right-of-way, ATWS, and pipe and contractor ware yards) by milepost, and indicates the type of structure and its distance from the proposed Project work areas. Based on field surveys and aerial photography, Algonquin's proposed construction work areas would be located within 50 feet of 332 residential structures (i.e., houses and apartment buildings) and 94 non-residential structures (i.e., commercial or industrial facilities, sheds, garages).

The residential structures within 50 feet of the construction work areas would experience effects of Project construction and operation. In general, as distance from the construction work area increases, the impacts on residences decrease. In residential areas, the two most significant impacts associated with construction and operation of a pipeline are temporary disturbances during construction and the encumbrance of a permanent right-of-way, which would restrict the construction of new permanent structures within the right-of-way. Temporary impacts during construction of the pipeline facilities in residential areas could include: inconvenience caused by noise and dust generated by construction traffic; disruption to access of homes by trenching of roads or driveways; increased localized traffic from transporting workers, equipment, and materials to the work site; disturbance of lawns, landscaping, and visual character caused by the removal of turf, shrubs, trees, and/or other landscaping between residences and adjacent rights-of-way; and potential damage to existing septic systems or wells.

APPENDIX H (cont'd)

TABLE H-1 (cont'd)					
Residences and Other Structures Within 50 Feet of the Construction Work Area for the AIM Project					
Facility, County, State, Municipality	Milepost	Type of Structure	Approx. Distance from Construction Work Area (feet) ^a	Approx. Distance from Pipeline Centerline (feet)	Residential Drawing Number ^b
	2.04	Commercial	50	80	NA
	2.20	Commercial	12	75	NA
	2.18	Residential	46	96	SQ-E-7001
	2.34	Residential	10	35	SQ-E-7002
	2.38	Residential	31	81	SQ-E-7002
	2.42	Residential	25	60	SQ-E-7002
	2.42	Residential	10	57	SQ-E-7002
	2.66	Commercial	37	72	NA
	3.14	Residential	10	48	SQ-E-7003
	3.22	Residential	48	98	SQ-E-7003
	3.23	Shed	0	32	SQ-E-7003
	3.24	Residential	46	96	SQ-E-7003
	3.30	Residential	10	20	SQ-E-7004
	3.32	Residential	10	23	SQ-E-7004
	3.34	Residential	44	119	SQ-E-7004
	3.36	Residential	23	71	SQ-E-7005
	3.42	Residential	27	77	SQ-E-7005
	3.49	Residential	10	51	SQ-E-7006
	3.77	Residential	19	69	SQ-E-7007
	3.80	Residential	10	56	SQ-E-7007
	3.84	Residential	21	56	SQ-E-7007
	3.85	Residential	35	85	SQ-E-7007
	3.88	Residential	10	52	SQ-E-7007
	3.97	Shed	46	96	SQ-E-7008
	4.01	Residential	33	83	SQ-E-7008
	4.23	Residential	25	77	SQ-E-7009
	4.28	Shed	8	61	SQ-E-7009
	4.30	Residential	32	62	SQ-E-7009
	4.30	Residential	11	48	SQ-E-7009
	4.43	Residential	30	71	SQ-E-7010
LINE-36A LOOP EXTENSION					
Middlesex County, CT					
Cromwell	1.28	Residential	4 ^a	34	CJ-E-7001
E-1 SYSTEM LATERAL LOOP EXTENSION					
New London County, CT					
Montville	0.12	Residential	23	48	CJ-E-7201
WEST ROXBURY LATERAL					
Norfolk County, MA					
Westwood	0.00	Commercial	14	65	NA
	0.30	Utility Unit	0	0	NA
Dedham	0.55	Commercial	49	82	NA
	0.76	Commercial	40	61	NA
	0.81	Commercial	0	30	NA
	0.83	Commercial	45	75	NA
	0.86	Residential	42	67	BB-P-8500
	0.89	Residential	25	41	BB-P-8500
	0.90	Residential	16	32	BB-P-8500
	0.91	Residential	21	38	BB-P-8500

APPENDIX H (cont'd)

TABLE H-1 (cont'd)					
Residences and Other Structures Within 50 Feet of the Construction Work Area for the AIM Project					
Facility, County, State, Municipality	Milepost	Type of Structure	Approx. Distance from Construction Work Area (feet) ^a	Approx. Distance from Pipeline Centerline (feet)	Residential Drawing Number ^b
	0.92	Residential	29	47	BB-P-8500
	0.93	Residential	26	43	BB-P-8500
	0.94	Residential	32	48	BB-P-8500
	0.95	Residential	23	41	BB-P-8501
	0.99	Residential	50	77	BB-P-8501
	1.00	Residential	25	52	BB-P-8501
	1.02	Residential	27	55	BB-P-8501
	1.08	Commercial	0	76	NA
	1.09	Commercial	10	30	NA
	1.10	Commercial	0	25	NA
	1.21	Commercial	28	56	NA
	1.23	Commercial	43	89	NA
	1.25	Commercial	42	86	NA
	1.27	Commercial	42	87	NA
	1.28	Commercial	38	63	NA
	1.31	Commercial	36	64	NA
	1.32	Commercial	35	64	NA
	1.36	Commercial	0	15	NA
	1.42	Vertical Sign	0	30	NA
	1.50	Vertical Sign	10	35	NA
	1.57	Commercial	35	100	NA
	1.96	Commercial	38	92	NA
	2.08	Commercial	20	52	BB-P-8503
	2.00	Residential	47	55	BB-P-8503
	2.17	Vertical Sign	31	52	BB-P-8504
	2.21	Commercial	33	67	NA
	2.55	Commercial	0	10	NA
	2.57	Residential	2	33	BB-P-8505
	2.58	Residential	6	39	BB-P-8505
	2.58	Residential	11	44	BB-P-8505
	2.59	Residential	<1	11	BB-P-8505
	2.59	Residential	4	15	BB-P-8505
	2.60	Residential	6	18	BB-P-8505
	2.60	Residential	12	44	BB-P-8505
	2.61	Residential	22	53	BB-P-8505
	2.63	Residential	24	45	BB-P-8505
	2.67	Residential	12	39	BB-P-8505
	2.68	Residential	12	39	BB-P-8505
	2.69	Residential	9	25	BB-P-8505
	2.70	Residential	15	31	BB-P-8505
	2.70	Residential	24	52	BB-P-8506
	2.72	Residential	6	30	BB-P-8506
	2.72	Residential	14	30	BB-P-8506
	2.74	Residential	21	35	BB-P-8506
	2.76	Residential	40	70	BB-P-8506
	2.77	Residential	36	67	BB-P-8506
	2.78	Residential	37	50	BB-P-8506
	2.79	Residential	22	50	BB-P-8507

APPENDIX H (cont'd)

TABLE H-1 (cont'd)					
Residences and Other Structures Within 50 Feet of the Construction Work Area for the AIM Project					
Facility, County, State, Municipality	Milepost	Type of Structure	Approx. Distance from Construction Work Area (feet) ^a	Approx. Distance from Pipeline Centerline (feet)	Residential Drawing Number ^b
	2.80	Residential	5	16	BB-P-8507
	2.80	Residential	25	56	BB-P-8507
	2.81	Residential	23	55	BB-P-8507
	2.81	Residential	10	21	BB-P-8507
	2.81	Residential	7	17	BB-P-8507
	2.82	Residential	29	38	BB-P-8507
	2.83	Residential	26	57	BB-P-8507
	2.83	Residential	7	17	BB-P-8507
	2.84	Residential	18	49	BB-P-8507
	2.84	Residential	6	19	BB-P-8507
	2.85	Residential	38	66	BB-P-8507
	2.85	Residential	10	25	BB-P-8507
	2.86	Residential	7	23	BB-P-8507
	2.87	Residential	9	25	BB-P-8508
	2.88	Residential	23	55	BB-P-8508
	2.89	Residential	8	23	BB-P-8508
	2.89	Residential	4	17	BB-P-8508
	2.90	Residential	<1	15	BB-P-8508
	2.91	Residential	22	57	BB-P-8508
	2.93	Residential	4	15	BB-P-8508
	2.94	Residential	9	19	BB-P-8508
	2.95	Residential	28	46	BB-P-8509
	2.97	Residential	35	54	BB-P-8509
	2.98	Residential	20	39	BB-P-8509
	3.00	Residential	11	34	BB-P-8509
	3.06	Residential	11	34	BB-P-8510
	3.08	Residential	23	64	BB-P-8510
	3.10	Commercial	40	67	BB-P-8510
	3.15	Residential	12	40	BB-P-8510
	3.16	Residential	35	85	BB-P-8511
	3.18	Residential	12	33	BB-P-8512
	3.18	Residential	17	37	BB-P-8512
	3.19	Residential	17	37	BB-P-8512
	3.19	Residential	29	74	BB-P-8512
	3.20	Residential	19	41	BB-P-8512
	3.21	Residential	52	92	BB-P-8512
	3.22	Residential	14	35	BB-P-8512
	3.23	Residential	44	82	BB-P-8512
	3.24	Residential	49	89	BB-P-8512
	3.24	Residential	23	49	BB-P-8512
	3.25	Residential	36	79	BB-P-8513
	3.25	Residential	36	62	BB-P-8513
	3.27	Residential	34	60	BB-P-8513
	3.27	Residential	31	72	BB-P-8513
	3.28	Residential	25	67	BB-P-8513
	3.29	Residential	28	54	BB-P-8513
	3.29	Residential	26	69	BB-P-8513
	3.31	Residential	24	66	BB-P-8513

EXHIBIT C

**UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION**

ALGONQUIN GAS TRANSMISSION, LLC

Docket No. CP14-96-000

REQUEST FOR REHEARING OF TOWN OF DEDHAM

I. INTRODUCTION

Pursuant to 15 USC §717r(a) of the Natural Gas Act and 18 CFR §385.713 of the rules of the Federal Energy Regulatory Commission (“FERC”), the Town of Dedham, Massachusetts (“Dedham” or “Town”) hereby requests rehearing of the “Order Issuing Certificate and Approving Abandonment” (“Order”), 150 FERC ¶61,163, that was issued by FERC on March 3, 2015. The Order grants the application filed by Algonquin Gas Transmission, LLC (“Algonquin”) for construction of the Algonquin Incremental Market Project (“Project”) in New York, Connecticut, Rhode Island, and Massachusetts.

Dedham is directly and significantly impacted by the Project, insofar as approximately three miles of a new transmission pipeline will be constructed across the Town, passing through heavily-populated and highly-developed residential and commercial neighborhoods and along local streets and regional highways with high traffic volumes. The pipeline will connect Algonquin’s existing facilities to the south in the Town of Westwood, to a new meter and regulating station (“M&R Station”) to the north in the West Roxbury neighborhood of the City of Boston. As Dedham has demonstrated in comments submitted to FERC during the application process and has expressed to Algonquin officials on numerous occasions, the Project will impose significant adverse impacts on Dedham during the construction period by disrupting traffic, creating noise, and affecting business operations. Further, after the completion of the

Project, Dedham will be bisected, along its busiest roadway, by a high-pressure gas pipeline that poses a severe safety risk in the event of an accident or explosion.

Dedham contends that FERC has failed to assess adequately the Project's significant environmental impacts during construction, as well as the Project's long-term risks. Further, the scope of FERC's review of reasonable alternatives is wholly inadequate, and is seemingly controlled by the prior decisions of the companies that FERC ostensibly regulates, rather than by the requirements imposed on FERC by the Natural Gas Act and the National Environmental Policy Act. As a result, FERC has not engaged in a fair and credible evaluation of alternatives to the Project. Moreover, in the interests of meeting Algonquin's desired construction schedule, the Order allows the immediate commencement of the Project while leaving final details of the Project to be specified at a later date, an approach that has prevented full evaluation of the Project impacts and that places Algonquin in a superior negotiating position in respect to affected municipalities and private landowners.

Dedham requests, therefore, that FERC rescind the Order, expand the scope of its examination of alternatives to the Project, and issue a new Order only after fully considering all alternatives and specifying adequate mitigation measures, on a timetable that reflects the objective of a reasoned outcome and not the schedule desired by the regulated entity.

II. STATEMENT OF RELEVANT FACTS

The Order, at pages 1 through 5, provides the procedural history of the Project, its structural components, and the measures taken by Algonquin to solicit bids from local distribution companies and utilities for the supply of natural gas, as a basis for the construction of the Project.

Dedham first expressed its intent to be an Intervenor by a letter from the Dedham Town Administrator to FERC, dated March 25, 2014. In reviewing the docket at the time that the Draft

Environmental Impact Statement (“DEIS”) was issued, Dedham found that it had not been listed as an Intervenor. Dedham therefore filed both Town of Dedham’s Motion for Late Intervention and Town of Dedham’s Motion to Intervene on Basis of Draft Environmental Impact Statement. In Appendix A to the Order, Dedham is included in the list of timely Intervenors.

In response to the issuance of the DEIS, Dedham, through its Board of Selectmen, filed “Town of Dedham: Comments on Algonquin Incremental Market Project,” whereby the Board of Selectmen stated its opposition to the Project. Concurrently, Dedham, through counsel, filed “Town of Dedham Comments on Draft Environmental Impact Statement” (“Dedham DEIS Comments”), with detailed comments on issues that were addressed insufficiently in the DEIS, or on conclusions in the DEIS with which Dedham disagreed.

In the period since the issuance of the DEIS, Dedham has engaged in discussions with Algonquin representatives as to mitigation measures and necessary agreements for the use of Dedham’s property, on the understanding that Dedham remains opposed to the Project. Dedham has also monitored supplemental filings by Algonquin and FERC’s requests and orders, and filings by other parties, as well as reviewing the Final Environmental Impact Statement (“FEIS”) and the Order. As of this date, Dedham continues to engage in discussions with Algonquin representatives, but without waiving any rights to file this Request or pursue other avenues of appeal in opposition to the Project.

III. STATEMENT OF ISSUES

1. Whether FERC, in preparing the DEIS and FEIS, and in issuing the Order, has failed to comply with NEPA requirements as to the appropriate scope of review of alternatives to the Project.
2. Whether the Order improperly fails to resolve and define the complete and specific mitigation measures that are to be undertaken by Algonquin.
3. Whether FERC's review of potential safety hazards from the completed pipeline is inadequate, thereby rendering FERC's conclusions arbitrary and capricious, and not based on substantial evidence.
4. Whether Algonquin has failed to show, and FERC has erroneously concluded, that the public convenience and necessity require the construction of the Project.

IV. ARGUMENT

- A. FERC has erred by improperly limiting the scope of alternatives to the Project that are examined and considered in the FEIS.

The stated purpose of an environmental impact statement that must be prepared by a Federal agency is to “provide full and fair discussion of significant environmental impacts and . . . [to] inform decisionmakers and the public of the reasonable alternatives which would avoid or minimize adverse impacts[.]” 40 CFR §1502.1. Further, in determining the scope of examined alternatives, the agency is to consider connected, cumulative, and similar actions. 40 CFR §1508.25. In this instance, FERC has erroneously limited the scope of its examination of alternatives to the Project, with the result that neither FERC nor the public are adequately informed of, or in a position to properly evaluate, reasonable alternatives to the Project.

Dedham is particularly and directly affected by the new pipeline, referred to as the West Roxbury Lateral (“Lateral”), which will be constructed through Dedham along a south to north

route, from an existing Algonquin facility in Westwood, Massachusetts to a new M&R Station in West Roxbury. Approximately three miles of the Lateral will be located within Dedham, nearly all of which will be located within densely developed residential and commercial areas. The Lateral will also pass through Gonzalez Field, a Town-owned park that is used for recreational purposes.

In commenting on the DEIS, Dedham stated:

...the DEIS does not take a sufficiently broad view of the available alternatives to meet the stated objective of the Lateral, which is to provide additional gas supplies to Boston Gas Instead, the DEIS assumes that, to meet that objective, the M&R Station must be built in West Roxbury, and the Lateral must pass through Dedham to reach the M&R Station. Further, even under an assumption that the Lateral is necessary to serve the Project purpose, the DEIS does not adequately evaluate alternative routes through Dedham that would reduce impacts on residential areas and avoid Gonzalez Field.

(Dedham DEIS Comments, p.1).

Dedham contended, further, that the construction of the Lateral, and its location, was based on the prior identification of a site in West Roxbury as the location of the M&R Station, as requested by Boston Gas, and that the DEIS failed to explore and evaluate other alternatives for connecting the Algonquin supply system to Boston Gas' distribution system. Such alternatives included other routes to serve a West Roxbury M&R Station from other existing or potential Algonquin facilities, and locations other than West Roxbury for a connection between the Algonquin and Boston Gas systems. As Dedham stated:

...based on the narrow focus of the DEIS, it appears that the selection of the West Roxbury M&R Station location was taken as a "given," as was the assumption that the new M&R Station was to be supplied through a connection to the existing Westwood facility. If the beginning and endpoints of the Lateral are accepted without examination, the most direct route is, indeed, through Dedham. The Town objects to this predetermination of the Lateral's route, and requests that the DEIS be revised to expand the geographical scope of the alternatives analysis.

(Dedham DEIS Comments, p.2).

The FEIS, and the resulting Order, do not respond adequately to Dedham's concerns, or satisfy the NEPA regulations. FERC and Algonquin rely on the decision by the Massachusetts Department of Public Utilities to approve a contract between Boston Gas and Algonquin, as a basis for accepting that West Roxbury is the only potential site for a connection between Algonquin's and Boston Gas's systems. As Dedham pointed out in its comments on the DEIS, other connection points and other routes were not considered. The FEIS does not cure this defect in the DEIS, and the resulting FERC decision is, therefore, flawed.

Further, FERC has refused to consider in this proceeding other Algonquin projects that are planned for the near term, which will deliver gas to the New England states and to the Boston area in particular. (Order, ¶¶108-111, 117-119). These are clearly "similar actions" under 40 CFR §1508.25, which should be evaluated together. These other projects are not merely conceptual or indefinite in timing: they are currently the subject of pre-filings with FERC and presentations by Algonquin to Boston-area communities. If those projects are on somewhat different planning and implementation schedules (though only by a year or two), that is the result of Algonquin's decisions.

The fact that Algonquin (and local distribution companies) have one project ready, while others are still on the drawing board, is an insufficient reason to approve the one without considering the others. The projects are similar in nature in purpose, and an overall examination, on a regional basis, of planning to increase gas supplies to New England may reveal feasible alternatives or desirable modifications to the Project.

To consider this Project in isolation fails to comply with NEPA requirements, and lacks common sense. In approving the Project, FERC is allowing the segmentation of its review and evaluation, on both environmental and economic grounds, of Algonquin's several projects.

FERC should not allow its review and approval process to be subject to such manipulation by the regulated entity.

Even assuming that the West Roxbury M&R Station is the necessary endpoint, FERC and Algonquin have inadequately examined an alternative that Dedham suggested, which was to route the southern section of the Lateral within the right of way of an interstate highway, so as to avoid a residential area. (Dedham DEIS Comments, pp. 2-3). The justification for dismissing the feasibility of this alternative was that the alternative is inconsistent with policies of the Massachusetts Highway Department. Where FERC approval preempts both state and municipal regulations, it cannot be said that overriding the preferences of a municipality is feasible, while setting aside the policy of a state agency is not.

Dedham recognizes that some minor modifications have been made to the proposed route of the Lateral during the development of the FEIS in the interest of reducing and mitigating impacts, including a revision of the route across the Town-owned Gonzalez Field. (Order, ¶¶132-133). Nonetheless, this has been “tinkering at the margins” of the Project, without fully evaluating the potential alternatives, on a region-wide basis. Dedham concludes that FERC’s decision making has been driven by Algonquin’s entreaties to reach a speedy decision that will allow construction to begin immediately on one project while Algonquin develops others, which will be presented to FERC within the next year or two, after the current Project is a fait accompli. This does not satisfy the objectives and requirements of NEPA review, and the Order must be rescinded for that reason.

B. The Order is incomplete, insofar as it fails to define fully the mitigation measures that are to be undertaken by Algonquin.

If (notwithstanding the objections of Dedham and many other respondents) the Project is to be approved and proceed forward, Dedham recognizes that Algonquin has committed to some mitigation measures to reduce impacts on Dedham during the construction period, and that some specific measures have been incorporated, by reference, in the Order. These relate particularly to the timing and manner of construction, with the objective of reducing impacts on traffic flow and (in the case of Gonzalez Field) coordinating construction timing with the existing use of the facility, to lessen (though not eliminate) disruption and displacement.

Nonetheless, other potential measures are indefinite or unaddressed, and have been left, essentially, to be the subject of further negotiations between Algonquin and both municipal and state officials, as well as private landowners. See, e.g., Order, ¶¶79-81, 92-93; Appendix B, Conditions No. 22, 26). Dedham is now engaged in such negotiations with Algonquin concerning additional mitigation measures, beyond those already described in documents referenced in the FEIS and/or Order, to reduce noise and traffic impacts on residences in proximity to the construction route.

FERC's "conditional" approval of mitigation measures reflects the rushed nature of FERC's review, as a result of which FERC has issued its Order while determination of mitigation measures is still ongoing. Given the numerous comments that were filed in response to the issuance of the DEIS, FERC requested additional information from Algonquin, which, in turn, made several submissions of supplemental information, prior to the issuance of the FEIS. Dedham welcomes this process and the efforts made to address the issues raised by comments on the DEIS, but believes that the process of revising the Project and developing mitigation measures has been curtailed by FERC's apparent desire to meet a self-imposed deadline for

issuing the FEIS and the Order. As a result, the Order imposes conditions that, effectively, allow and require that the process of developing measures to mitigate the Project's impacts continue after the Order has already been issued.

FERC's approach of "approve now, figure out the details later" has several negative effects on the development and definition of additional mitigation measures. One effect is that Dedham, and others, find it necessary to file objections to the Order, given the uncertainty as to what mitigation measures will actually be required and implemented. This places some parties in the position of negotiating mitigation measures, while at the same time formally adopting adversarial positions. Further, given the preemptive effect of FERC approval (see Order, ¶151), the Order places Algonquin in a superior negotiating position with respect to state and local entities, to a degree that was not the case prior to the Order being issued.

Instead of issuing an Order with open-ended conditions and undefined mitigation measures, FERC should have withheld the Order until it was possible to include all mitigation measures and modifications within the Project approval. FERC's failure to do so renders its decision arbitrary and capricious, as it leaves important measures to be determined at a future date, and cedes control of key Project details to the applicant.

- C. FERC has inadequately reviewed potential safety hazards from the constructed pipeline, and has failed to require sufficient and reasonable monitoring requirements.

The construction and operation of Algonquin's high-pressure natural gas transmission line raises significant public safety concerns. The route within Dedham, for the most part, passes through heavily populated and developed commercial and residential areas, which are classified as "High Consequence Areas" for purposes of federal natural gas pipeline safety standards. While this classification is noted in the FEIS, Algonquin's and FERC's response is merely to reiterate that the pipeline will be constructed to Federal safety standards. (Order, ¶105).

Dedham certainly hopes that this will be the case, but this ought not to be accepted as conclusive as to the pipeline's safety. An evaluation of risk must involve both the assessment of the likelihood of failure of pipeline construction, and the consequences of failure. Where the consequences would be high (i.e., where, as here, a pipeline passes through a highly-developed and densely-populated area), safety measures ought to be more rigorous.

Safety concerns for the Lateral are heightened by the selected location of the West Roxbury M&R Station, adjacent to an active quarry where blasting occurs. (Order, ¶¶61-66). Dedham accepts and joins in the arguments made in the "Request for Rehearing of the City of Boston Delegation," which addresses the dangers posed by the proximity of the station to the quarry, and the inadequacy of the safety study on which the FEIS bases its conclusion that public safety will not be put at risk. Further, Dedham contends that FERC has not adequately considered the effects of a potential explosion at the M&R Station, or at the portion of the pipeline line in its vicinity, on the remainder of the Lateral that passes through Dedham.

Given the location of nearly the entire Lateral within a High Consequence Area, FERC has not taken adequate measures to minimize risk. Dedham continues to urge, as it did in its comments on the DEIS, that FERC impose specific requirements for post-construction assessment and ongoing monitoring of the pipeline throughout the period of its use, not only at the time of its construction and installation. (Dedham DEIS Comments, p.6). This is not a burdensome requirement, and is certainly a reasonable mitigation measure.

D. Algonquin has failed to show, and FERC has erroneously concluded, that the public convenience and necessity require the construction of the Project.

FERC's inadequate review of reasonable alternatives to the Project, and its failure to consider Algonquin's multiple pipeline-construction and capacity-expansion projects in a unified fashion, is not only a violation of NEPA requirements: it also prevents FERC from making a reasonable determination as to whether the Project will serve the public convenience and necessity. FERC should require that Algonquin determine and evaluate natural-gas demand and supply options on a regional basis (i.e., for eastern Massachusetts, at a minimum), and that Algonquin, in conjunction with the local utilities that it serves, demonstrate that its individual projects will, in combination, address regional needs in a comprehensive and cost-efficient manner.

Instead of such regional planning, FERC has adopted a reactive and short-sighted approach that considers the "public necessity" to be met as long as the natural-gas supplier can show that local utilities are willing to purchase the product. By basing its decision on the interests and choices of the suppliers and the utilities, FERC abdicates its responsibility to the public at large who are the ultimate consumers, and to the communities that will be affected by the construction and presence of the approved pipelines. As a result, in this instance, the Order is arbitrary and capricious, and not grounded in substantial evidence.

V. COMMUNICATIONS

Communications and correspondence regarding this proceeding should be served upon:

John J. Goldrosen, Esq.
Kopelman and Paige, P.C.
Town Counsel
101 Arch Street, 12th Floor
Boston, MA 02110-1109
Phone: (617) 556-0007
Fax: (617) 654-1735
jgoldrosen@k-plaw.com

VI. CONCLUSION

For the reasons stated herein, the Town of Dedham respectfully requests that its request for rehearing be granted, and that FERC rescind its Order issuing a certificate of public convenience and necessity for the Algonquin Incremental Market Project.

TOWN OF DEDHAM,

By its attorney,

/s/ John J. Goldrosen
John J. Goldrosen (BBO# 634434)
Kopelman and Paige, P.C.
Town Counsel
101 Arch Street, 12th Floor
Boston, MA 02110-1109
(617) 556-0007
jgoldrosen@k-plaw.com

Date: April 2, 2015

EXHIBIT D

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Algonquin Gas Transmission, LLC

Docket No. CP14-96-001

ORDER GRANTING REHEARING FOR
FURTHER CONSIDERATION

(May 1, 2015)

Rehearing has been timely requested of the Commission's order issued on March 3, 2015, in this proceeding. *Algonquin Gas Transmission, LLC*, 150 FERC ¶ 61,163 (2015). In the absence of Commission action within 30 days from the date the rehearing request was filed, the request for rehearing (and any timely requests for rehearing filed subsequently)¹ would be deemed denied. 18 C.F.R. § 385.713 (2014).

In order to afford additional time for consideration of the matters raised or to be raised, rehearing of the Commission's order is hereby granted for the limited purpose of further consideration, and timely-filed rehearing requests will not be deemed denied by operation of law. Rehearing requests of the above-cited order filed in this proceeding will be addressed in a future order. As provided in 18 C.F.R. § 385.713(d), no answers to the rehearing requests will be entertained.

Kimberly D. Bose,
Secretary.

¹ See *San Diego Gas & Electric Company v. Sellers of Energy and Ancillary Services into Markets Operated by the California Independent System Operator and the California Power Exchange, et al.*, 95 FERC ¶ 61,173 (2001) (clarifying that a single tolling order applies to all rehearing requests that were timely filed).

EXHIBIT E

ALGONQUIN GAS TRANSMISSION, LLC
 5400 Westheimer Court
 Houston, TX 77056-5310
 713.627.5400 main

Mailing Address:
 P.O. Box 1642
 Houston, TX 77251-1642



June 8, 2015

Ms. Kimberly D. Bose, Secretary
 Federal Energy Regulatory Commission
 888 First Street, NE
 Washington, DC 20426

Re: *Algonquin Gas Transmission, LLC*, Docket No. CP14-96-000
 Request for Authorization to Commence Construction of Certain Segments of the West Roxbury Lateral Pipeline.

Dear Ms. Bose:

On March 3, 2015, the Federal Energy Regulatory Commission (“Commission”) issued its Order Issuing Certificate and Approving Abandonment in the above-referenced docket authorizing Algonquin Gas Transmission, LLC (“Algonquin”) to construct, own, operate, and maintain the Algonquin Incremental Market Project (“Project”).¹ Algonquin is requesting authorization to proceed with construction of certain segments of the West Roxbury Lateral as noted in Table 1.

Table 1: AIM Project – Request for Initial Notice to Proceed West Roxbury Lateral				
Segment	Location	Alignment Sheet No.	Station	
			Start	End
<i>Pipeline</i>				
	Westwood, Massachusetts	BB-P-8001	0+00	2+00
	Westwood/Dedham, Massachusetts	BB-P-8002 through BB-P-8016	7+45	174+02

Algonquin is requesting Notice to Proceed for the Westwood Meter & Regulating Station and the pipeline segments within the Towns of Westwood and Dedham, Massachusetts, excluding the Norfolk Golf Club property. Algonquin has received the necessary environmental permits with the exception of the U.S. Army Corps of Engineers (“USACE”) Section 404 permit authorizing construction across the intermittent waterbody located on the Norfolk Golf Club property. Once the USACE issues the Section 404 permit, Algonquin will request a separate Notice to Proceed for the Norfolk Golf Club property. Per agreement with the property owners, Algonquin has agreed not to commence construction across the Norfolk Golf Club property and Gonzalez Field before November 2015.

Algonquin has also obtained the non-environmental permits from the various state agencies and authorities and local municipalities required to construct the facilities in Westwood and Dedham. In addition, Algonquin has obtained the required easement/license agreements. An update to Table C5 from Algonquin’s April 23, 2015 Supplemental Implementation Plan is provided in Attachment A.

¹ *Algonquin Gas Transmission, LLC*, 150 FERC ¶ 61,163 (2015) (“March 3 Order”).

Further, on June 4, 2015, Algonquin conducted a field survey of the entire West Roxbury Lateral facilities with representatives from the Native American tribes. The purpose of that field review was to identify potential Ceremonial Stone Landscapes (“CSL”) within the certificated construction right-of-way. No CSLs were identified as noted on the Ceremonial Stone Landscape Survey Report form included in Attachment B.

Algonquin will file additional requests for OEP Notice to Proceed with construction for the other AIM Project facilities as necessary.

If you have any questions regarding this filing, please contact DeAndra Black at (713) 627-5350 or me at (713) 627-5113.

Respectfully submitted,

/s/ Chris Harvey

Chris Harvey

Director, Rates and Certificates

Attachment

cc: Maggie Suter (FERC)

EXHIBIT F

**UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION**

ALGONQUIN GAS TRANSMISSION, LLC

Docket No. CP14-96-000

**TOWN OF DEDHAM'S OPPOSITION TO ALGONQUIN'S REQUEST FOR
AUTHORIZATION TO COMMENCE CONSTRUCTION**

The Town of Dedham, Massachusetts ("Dedham") hereby opposes and objects to the "Request for Authorization to Commence Construction of Certain Segments of the West Roxbury Lateral Pipeline" ("Request"), which Algonquin Gas Transmission, LLC ("Algonquin") filed with the Federal Energy Regulatory Commission ("Commission") on June 8, 2015. The Request asks the Commission to issue a Notice to Proceed with construction of pipeline segments within the Town, based on the Commission's Order Issuing Certificate ("Certificate of Approval") for the Algonquin Incremental Market Project ("Project"). However, the Commission subsequently issued the Order Granting Rehearing for Further Consideration, dated May 1, 2015 ("Rehearing Order"), in response to multiple Requests for Rehearing that were timely filed by Dedham and by other intervenors. Dedham strongly urges that the Commission deny the Request and refrain from issuing any further Notices to Proceed for portions of the Project, until the Commission has considered and acted upon the Requests for Rehearing.

The Rehearing Order states that rehearing is being granted "to afford additional time for consideration of the matters raised or to be raised" in the various Requests for Rehearing. The Commission stated further that the Requests for Rehearing "will be addressed in a future order", but did not specify or limit the duration of the Commission's consideration. Meanwhile, as requested by Algonquin, the Commission has issued Notices to Proceed for site preparation activities at the sites of metering and regulation stations. Now, Algonquin is seeking to commence construction of the West Roxbury Lateral pipeline itself. The Commission should not

allow pipeline construction to begin, while the possibility exists that the Commission will decide to reconsider or revoke the Certificate of Approval for the construction.

In its Request for Rehearing, Dedham objected to the Commission's inadequate assessment of both short-term and long-term environmental impacts, as well as the limited scope of alternatives considered during the review process. As Dedham stated, "the Project will impose significant adverse impacts on Dedham during the construction period by disrupting traffic, creating noise, and affecting business operations." Much of the construction within Dedham is scheduled to occur within the next several months. If the Commission allows construction to commence and to continue while the Commission is reviewing the Requests for Rehearing, Dedham will be affected by the Project construction impacts, even if the Commission ultimately decides to reexamine or disapprove the Project. This would be an unfair and unreasonable outcome.

Dedham recognizes that, in order for the Commission to give careful and complete consideration to the Requests for Rehearing, the Commission chose not to impose a deadline for completing this consideration. However, in fairness to the affected communities and individuals, and in order for the review to be meaningful, Algonquin should not be allowed to proceed with construction during this review period.

The Commission's regulations provide, at 18 CFR §385.713(c), that: "Unless otherwise ordered by the Commission, the filing of a request for rehearing does not stay the Commission decision or order." (Emphasis added). The regulation is premised on the further provision, in subsection (d), that the Commission will normally act on a request for rehearing within 30 days (or the request is deemed to be denied). Given the particular circumstances of this matter, in which the Commission has effectively extended the 30-day decision period in order to give full consideration to the submitted Requests for Rehearing, it would be appropriate for the

Commission to exercise its authority by imposing a stay on the issuance of further notices to proceed for the Project, until the Commission determines whether to grant substantively the Requests for Rehearing.

If the Commission decides to grant the Requests for Rehearing and review the Certificate of Approval, presumably the Project would not be able to proceed until the Commission determines whether to re-issue the Certificate of Approval. Likewise, during this period when the Commission is considering whether to undertake that review, the Commission should refrain from issuing any further Notices to Proceed.

WHEREFORE, the Town of Dedham respectfully requests that the Commission deny Algonquin's Request and decline to issue a Notice to Proceed with the construction of the West Roxbury Lateral pipeline, on the basis that the Commission has not yet completed its consideration of the Requests for Rehearing that have been filed by Dedham and other intervenors.

TOWN OF DEDHAM,

By its attorney,

/s/ John J. Goldrosen

John J. Goldrosen (BBO# 634434)

Kopelman and Paige, P.C.

Town Counsel

101 Arch Street, 12th Floor

Boston, MA 02110-1109

(617) 556-0007

jgoldrosen@k-plaw.com

Date: June 9, 2015

EXHIBIT G

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY PROJECTS

In Reply Refer To:
OEP/DG2E/Gas 2
Algonquin Gas Transmission, LLC
Algonquin Incremental Market Project
Docket No. CP14-96-000
§ 375.308(x)

June 11, 2015

Chris Harvey
Algonquin Gas Transmission, LLC
5400 Westheimer Ct.
Houston, TX 77056

Re: Partial Notice to Proceed with Massachusetts Facilities and Archaeological Data Recovery

Dear Mr. Harvey:

I grant your June 8, 2015 request for Algonquin Gas Transmission, LLC (Algonquin) to construct the Massachusetts facilities for the Algonquin Incremental Market Project identified below:

- West Roxbury Lateral Station 0+00 to 2+00 and associated minor route or workspace modifications in Westwood, Massachusetts;
- West Roxbury Lateral Station 7+45 to 174+02 and associated minor route or workspace modifications in Westwood and Dedham, Massachusetts; and
- Launcher facility and lateral block valve at the existing Westwood Meter and Regulating Station in Westwood, Massachusetts.

I also grant your June 10, 2015 request for Algonquin to commence its Archaeological Data Recovery Program for the Susquetonscut Brook Pre-Contact Sites 4, 5, and 11 in Connecticut and to use two existing temporary access roads.

In considering this notice to proceed, we have determined that Algonquin's Initial Implementation Plan, filed on March 27, 2015, as supplemented on April 22, 2015, June 8, 2015, and June 10, 2015, includes the information necessary to meet the pre-construction conditions in the Commission's March 3, 2015 *Order Issuing Certificate* (Order) issued in the above-referenced docket applicable to these facilities. In addition, we have confirmed the receipt of all federal authorizations relevant to the approved activity herein.

This approval does not grant Algonquin the authority to utilize any additional workspaces that were not approved in the Order, modifications to facility locations or workspaces, or to commence any additional construction activities associated with the Algonquin Incremental Market Project.

I remind you that Algonquin must comply with all applicable remaining terms and conditions of the above referenced Order, as well as procedures stipulated in your previous filings.

If you have any questions regarding this approval, please contact Maggie Suter at (202) 502-6463.

Sincerely,

Alisa M. Lykens
Chief, Gas Branch 2

cc: Public File, Docket No. CP14-96-000